

**REMARKS**

New claims 104-119 have been added. No new matter has been added by way of the above amendments. Support for the new claims is found on page 4, lines 23-26; page 5, lines 12-15; page 6, table 1; page 7, table 2; and page 9, table 4.

In response to the restriction requirement, applicants hereby elect the following species: topical application of both the hypersensitive response elicitor and agricultural chemical; plant as the species to which the hypersensitive response elicitor and agricultural chemical are applied; corn as the plant species; glyphosate as the type of agricultural chemical; and *Erwinia amylovora* hypersensitive response elicitor (i.e. Harpin<sub>Ea</sub> (SEQ ID No: 3)) as the elected hypersensitive response elicitor protein. Claims 1, 2, 4-7, 49-50, and 106-111 are readable on the elected species.

In view of all of the foregoing, applicant submits that this case is in condition for allowance and such allowance is earnestly solicited.

Respectfully submitted,

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